

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4701 of 1994

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

MANGUBEN WD/O RATILAL JENABHAI

Versus

COMPETENT AUTHORITY & ADDITIONAL COLLECTOR (ULC)

Appearance:

MR PM BHATT for Petitioners

MR V.M.PANCHOLI, AGP, for Respondent No. 1, 2

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 10/08/1999

ORAL JUDGEMENT

Heard Mr Bhatt for the petitioner and Mr
V.M.Pancholi, learned AGP, for the respondents.

2 The petitioner has challenged the order passed by
the State Government rejecting the petitioner's
application for exemption under Section 20 of the Urban
Land (Ceiling & Regulation) Act, 1976. The learned AGP

in view of the written instructions dated 21.6.1999 (Sl.No.19) received by the Government Pleader's office from Mr B.G.Jhalavadia, competent authority and the Additional Collector, ULC, Ahmedabad, states that because of the status quo order passed by this Court on 30.3.1993, the authorities did not proceed beyond Section 8(3) of the Act and the authorities have not taken possession of the land in question from the petitioner.

3 The Urban Land (Ceiling & Regulation) Act, 1976 has been repealed by the Urban Land (Ceiling & Regulation) Repeal Act, 1999, as adopted by the Gujarat State Legislative Assembly as per the resolution dated 30th March 1999, passed under Article 252(2) of the Constitution. In view of the provisions of the aforesaid Repeal Act, 1999, the orders impugned in the present petition do not survive and all the proceedings under the Urban Land (Ceiling & Regulation) Act, 1976 in respect of the land in question as well as the present petition have abated.

4 The petition is accordingly disposed of as having abated. There shall be no order as to costs.

(M S SHAH, J.)
(mohd)